

FISCAL NOTE

HB 500 - SB 1525

March 4, 1997

SUMMARY OF BILL: Provides that in court cases to enforce real property restrictions such as easements and restrictive covenants, the prevailing party is entitled to receive reasonable litigation costs actually incurred.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - Exceeds \$100,000
Increase State Expenditures - Exceeds \$100,000

Increase Local Govt. Revenues - Exceeds \$100,000
Increase Local Govt. Expenditures - Exceeds \$100,000

To the extent that state or local governmental entities sue or are sued to enforce restrictions, and are not protected by sovereign immunity, they would experience an increase in state or local government revenues if they are the prevailing party and an increase in state or local government expenditures if they are not the prevailing party. Such increases would depend upon the number of cases, but are estimated to exceed \$100,000 if there are several such cases.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James A. Davenport".

James A. Davenport, Executive Director

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